

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF CALIFORNIA

In the Matter of the Petition of:)
FRANK WILSON, JR., M.D.,)
to Reinstatement Suspended Certificate)
Pursuant to Sections 2417 and 2419,)
Business and Professions Code.)

N 2245

DECISION

The above-entitled matter came on regularly for hearing before a quorum of the Board, on October 17, 1972, at 9:00 a.m., in Sacramento, California. Gilbert E. Elmore, Hearing Officer of the Office of Administrative Hearings presided.

Joel S. Primes, Deputy Attorney General, represented the Board. Respondent was present and was represented by Stanley Gold, Attorney, Oakland, California. Evidence, both oral and documentary, having been received the matter was submitted for decision. After due consideration the Board of Medical Examiners makes the following decision:

FINDINGS OF FACT

I

Effective May 23, 1968, Respondent's certificate to practice medicine and surgery in the State of California was suspended by the Board of Medical Examiners pursuant to Section 2416, Business and Professions Code after his commitment to Agnew State Hospital for mental illness.

II

On August 16, 1968, Respondent received a Certificate of Competency. Effective November 6, 1968, the Board of Medical Examiners denied Respondent's application for reinstatement of his certificate.

III

Respondent has again applied to the Board of Medical Examiners for reinstatement of his certificate.

IV

The evidence offered established to the satisfaction of the Board that with due regard to the public interest Respondent's certificate may be reinstated provided that reinstatement is subject to the probationary terms and conditions as hereinafter set forth.

DETERMINATION OF ISSUES

Respondent's application should be granted subject to probation terms and conditions pursuant to Section 2419, Business and Professions Code.

ORDER

The certificate of Frank Wilson Jr. authorizing him to practice medicine and surgery in the State of California is hereby reinstated provided, however, Respondent is hereby placed upon probation to the Board of Medical Examiners for a period of 10 years on the following terms and conditions:

1. Respondent shall appear at the Board meeting in San Diego, California, in November, 1972, and then and there take an oral examination to be administered by the Board.

The examination may include any or all of the subjects as specified in Section 2288 of the Business and Professions Code. Failure to pass said examination shall not preclude Respondent from again taking said examination when offered by the Board, however, the failure of Respondent to pass such an oral examination within one year from the effective date hereof shall constitute a violation of this condition of probation.

2. Within one year from the effective date hereof Respondent shall take and successfully pass days two and three of the Flex examination. A failure to pass said examination within the one year period shall constitute a violation of this condition of probation.

3. Respondent shall not hold or apply for a Bureau of Narcotics and Dangerous Drug registration until such time as he has successfully fulfilled the requirements of Condition 1 and Condition 2 hereof.

4. Respondent shall continue treatment until discharged as cured, with a psychiatrist approved by the Board of Medical Examiners and shall cause such psychiatrist to submit to the Board semi-annual reports of Respondent's condition and progress.

5. During the probation Respondent shall be employed only as a resident or in such other structured employment as may be approved in writing by the Board and shall make no change of employment without prior written approval of the Board.

6. Respondent shall have no additional or other employment in the field of medicine without prior written approval of the Board.

7. The Respondent shall comply with all laws of the United States and of the State of California and its political subdivisions and with the rules and regulations of the Board of Medical Examiners, State of California.

8. The Respondent shall report in person to the Board of Medical Examiners annually during the period of probation beginning in the year 1973.

9. During the period of probation at the close of each calendar quarter Respondent shall file his affidavit with the Board of Medical Examiners at its office in Sacramento, California, wherein he shall state whether he has fully and faithfully complied with the terms and conditions of this probationary order.

If the Board of Medical Examiners shall determine after notice to Respondent and an opportunity to be heard, that the Respondent during the term of probation, has violated any term or condition of this probation, the Board may terminate the probation and make the order of suspension heretofore made again effective or may make such other and further order as it may then deem proper in the exercise of its discretion; that otherwise the reinstatement shall become unconditional and Respondent's certificate fully restored.

BOARD OF MEDICAL EXAMINERS
STATE OF CALIFORNIA


s. STEPHEN NAKASHIMA, J.D.
Secretary-Treasurer

The order shall become effective on the 17th day of October, 19 72.

IT IS SO ORDERED this 17th day of October, 19 72.